

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

* **DOCKET NO. 2:09-CR-099**

v.

* **SECTION: "L"**

LUIS CARRASCO-RODRIGUEZ

*

a/k/a Jose L. Carrasco

a/k/a Jose Luiz Carrinza

*

a/k/a Jose Luis Carrasco

a/k/a Jose L. Carrinza

*

a/k/a Jose Cassasco

a/k/a Luis Carrasco

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FACTUAL BASIS

_____ Should this matter have gone to trial, the government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the indictment now pending against the defendant:

The Defendant, **LUIS CARRASCO-RODRIGUEZ** (hereinafter "**CARRASCO-RODRIGUEZ**") has agreed to plead guilty as charged to the one-count indictment charging him with illegal reentry of a removed alien in violation of Title 8, United States Code, Section 1326(a).

An Immigration and Customs Enforcement agent (the "agent") would testify that on or about October 23, 2008, he encountered the defendant, **CARRASCO-RODRIGUEZ**, during criminal

alien program duties at Orleans Parish Prison, located in Orleans Parish in the Eastern District of Louisiana. Upon determining the defendant was illegally in the United States and upon his release from the custody of the State of Louisiana, the defendant was detained and arrested by an Immigration and Customs Enforcement agent.

The agent would testify that he conducted record checks through various Immigration and Customs Enforcement databases, which revealed that the defendant was a citizen of Mexico and illegally present in the United States.

Documentation from the records of Immigration and Customs Enforcement Alien file, including a Warrant of Removal/Deportation, complete with the defendant's fingerprints, photographs and signature, would demonstrate that the defendant, **CARRASCO-RODRIGUEZ**, was removed from the United States to Mexico on about October 7, 2005, at or near Brownsville, Texas. A qualified Immigration and Customs Enforcement Fingerprint Specialist would testify that the fingerprints of the individual documented in the Immigration and Customs Enforcement Alien file containing the Warrant of Removal/Deportation and the fingerprints of the defendant are the same.

A Certificate of Non-Existence of Record would show that the defendant, **CARRASCO-RODRIGUEZ**, did not receive consent from the United States Attorney General or his designated successor, the Secretary of the Department of Homeland Security, to apply for readmission or receive permission to reenter the United States since the time of the defendant's previous removal.

Further, documents, court records and other admissible evidence would show that on or about May 23, 2005, in the Two Hundred Twenty-Eighth District Court of Harris County, Texas,

the defendant, **CARRASCO-RODRIGUEZ**, was convicted of possession of cocaine, less than one gram, a felony.

ROBERT WEIR Special Assistant United States Attorney Mississippi Bar No. 101464	Date
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LUIS CARRASCO-RODRIGUEZ Defendant	Date
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VALERIE JUSSELIN Assistant Federal Public Defender LA Bar Roll No. 19825 Attorney for the Defendant	Date
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